

**32146**

**SERVICE DATE - OCTOBER 5, 2001**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**DOCKET NO. AB-32 (Sub-No. 92)**

**Boston and Maine Corporation - Abandonment and Discontinuance of Service - In Suffolk  
County, Massachusetts**

**BACKGROUND**

In this proceeding, the Boston and Maine Corporation (B&M) has filed an application seeking authority under 49 U.S.C. 10903 to abandon a portion of the so-called "Mystic Wharf Branch" line of railroad located between MP 0.00 and MP 1.45, a distance of 1.45 miles in Charlestown, Massachusetts. The line is located in Suffolk County, Massachusetts. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

According to B&M, due to low levels of traffic over the past few years, together with the lack of reasonably foreseeable increases in traffic levels, revenue derived from the use of this line will not be sufficient to support the ongoing and future maintenance and operation of the line. In light of the condition of the line and the lack of any additional revenue sources on the line to support necessary rehabilitation, there is no reasonable alternative to abandonment and discontinuance.

The only remaining customer on this line, United States Gypsum Company, does not transport sufficient amounts of goods by rail to make continued service viable. During the Base Year (2000), 27 carloads were moved on the line. Commodities moved include sand, gypsum, flour grain, corn flour, and plaster. Former rail-served facilities on this line have been converted to other uses, removing the potential for reinstating service at these locations. Planned improvements to the Port of Boston waterfront that is served by this line have not taken place, which removes another potential source of rail served customers on this line. The underlying value of the property for development consistent with other uses in the area is significant. The property lines vary in width from 30 feet wide to 70 feet in some locations.

This line is located adjacent to Rout 99 (Rutherford Avenue) in Charlestown, which is heavily traveled by truck. In addition, the line proceeds to the waterfront, and water transportation could be an option with extensive development. According to B&M, the properties proposed to be abandoned are appropriate for other public purposes, including roads,

conservation, or recreation. B&M is not aware of any restriction on the title to the property which would affect the transfer of title or the use of the property for other than rail purposes.

This line is currently classified as “Excepted Track” pursuant to 49 C.F.R. Section 213.4. In order to upgrade the line to FRA Class One safety standards, approximately 200 crossties would need to be replaced, an at-grade crossing would need to be rehabilitated at the former Amstar facility, and two turnouts would need to be retired. The total estimated cost of this upgrade is \$58,500.00. In addition, absent abandonment, the Signal System on the line would need to be upgraded in the near future.

## **ENVIRONMENTAL REVIEW**

B&M submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. B&M served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board's) environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The Department of the Army, Corps of Engineers, New England District, has indicated that they have no objection to the proposed abandonment and discontinuance of service. However, the Department of the Army advises that future re-use of the property may require a permit from the Corps of Engineers.

The Massachusetts Port Authority (Massport) has indicated concern regarding the B&M proposal. Massport states that the availability of rail provides business growth opportunities that would not otherwise be available. Massport has indicated that the elimination of rail service along the Mystic Wharf Branch will result in increased truck traffic through a densely developed and highly congested area of Boston, with subsequent environmental and community impacts.

B&M's application states that a total of 27 carloads were moved on the line during the base year. Using a rail-to-truck conversion factor of 4 trucks per carload<sup>1</sup>, SEA calculates that on a per day basis, if all the rail traffic is diverted to truck traffic, the abandonment would generate an estimated 108 new trucks per year (216 truck trips assuming an empty backhaul). This equates to less than 1 truck per day being added to area roads during a 240 workday year<sup>2</sup>. This increase will not exceed the Board's thresholds of an increase of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment [49 C.F.R. 1105.7(e)].

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<sup>1</sup> The conversion factor is an estimate based on the varied nature of the commodities transported on the line.

<sup>2</sup> 240 workdays result when weekends and holidays are subtracted from a 365 day year.

## **CONDITIONS**

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

## **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

If abandonment and salvage of the rail line does take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

## **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-32 (Sub No. 92) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to Kenneth Blodgett at (202) 565-1554.**

Date made available to the public: October 5, 2001.

Comment due date: **November 4, 2001 (30 days).**

By the Board, Victoria J. Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment

MAP TO BE SCANNED